



3629

I hereby certify that this correspondence is being filed via facsimile with a confirmation copy being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage and addressed to the Commissioner of Patents and Trademarks, Washington, D.C., 20231 on the date indicated below.

PATENT

Paper No.

File: Blind Gift

Date: December 12, 2002

Signed: [Signature]
Peter K. Trzyna (Reg. No. 22,601)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor	:	Christopher Ewing
Serial No.	:	09/295,230
Filed	:	April 19, 1999
For	:	BLIND GIFT METHOD AND SYSTEM
Group Art Unit	:	3629
Examiner	:	DIXON, Thomas A.

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

RECEIVED

DEC 19 2002

GROUP 3600

TRANSMITTAL LETTER

SIR:

Transmitted herewith for filing in the above-identified patent application are/is the following:


1. Supplemental Remarks;
2. Information Disclosure Statement; and
3. PTO Form 1449 and Cited Art.

The Commissioner is hereby authorized to charge any fees associated with the above-identified patent application or credit any overcharges to Deposit Account No. 50-0235.

Please direct all correspondence to the undersigned at the address given below.

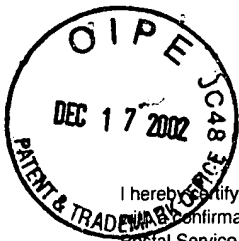
Respectfully submitted,

Date: December 12, 2002


Peter K. Trzyna
(Reg. No. 32,601)

P.O. Box 7131
Chicago, IL 60680-7131

(312) 240-0824



I hereby certify that this correspondence is being filed via facsimile and that a confirmation copy being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage and addressed to the Commissioner of Patents and Trademarks, Washington, D.C., 20231 on the date indicated below.

Signed: _____

Peter K. Trzyna (Reg. No. 32,601)

Date: _____

December 12, 2002

PATENT

Paper No.

File: Blind Gift

Lorraine
12/30/02
#14

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor	:	EWING, Christopher
Serial No.	:	09/295,230
Filed	:	19 April 1999
For	:	BLIND GIFT METHOD AND SYSTEM
Group Art Unit	:	3629
Examiner	:	DIXON, Thomas A.

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

SUPPLEMENTAL REMARKS

RECEIVED
DEC 19 2002
GROUP 3600

SIR:

In further response to the Office Action mailed on 11 July 2002, in the above-referenced patent application, please reconsider the application in view of the evidence of nonobviousness submitted herewith.

I. REMARKS

Enclosed please find a patent application obtained from the US Patent and Trademark Office web site. The patent application bears number 20020178089, is titled

"Coordinating Delivery of a Gift," was filed July 12, 2002, and names as inventors Jeffery P. Bezos and Sheldon J. Kaphan.

Also enclosed is a article obtained from the web site of the NY Post, the article titled "Bezos Patent may be Gift to Amazon," dated December 9, 2002, and indicating that Jeff Bezos is the chief executive officer of Amazon.com and Shel Kaphan is the chief technology officer of Amazon.com.

If the Examiner's interpretation of Van Name's comments about Amazon.com were correct, then Amazon.com would not be filing a patent application almost 4 years later and contending it was an invention.

This patent application contradicts much of the Office Action assertions about the Amazon.com system and state of the art at the time of Applicant's invention. It is respectfully submitted that Amazon.com's officers likely know more about its capabilities than did Van Name. Further, because Amazon.com is something of a 500 pound gorilla in the industry, its officers' statements of what was the state of the art in July 2002, about 2 years after Applicant's filing date, should be given great weight. Weight should also be given to what the officers of Amazon.com viewed as an invention as of its filing date.

It is respectfully submitted that the contentions of the Office Action cannot be maintained for the reasons set forth in the Amendment and Response previously filed. It is also respectfully submitted that the contentions of the Office Action cannot be squared with the contradicting evidence submitted herewith.

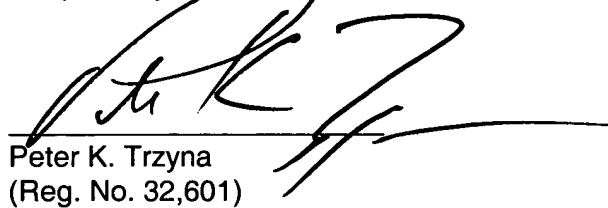
The Examiner is requested reconsider the application in view of the evidence of nonobviousness submitted herewith.

II. Conclusion

The application is believed to be in condition for allowance, and favorable action is respectfully requested. The Commissioner is hereby authorized to charge any fees associated with the above-identified patent application or credit any overcharges to Deposit Account No. 50-0235. Please direct all correspondence to the undersigned at the address given below.

Date: December 12, 2002

Respectfully submitted,



Peter K. Trzyna
(Reg. No. 32,601)

P.O. Box 7131
Chicago, IL 60680-7131

(312) 240-0824